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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/747,455	12/22/2000	Stephane Harnois	G&C 30566.137US01	9812
22462	7590	08/11/2005	EXAMINER	
GATES & COOPER LLP HOWARD HUGHES CENTER 6701 CENTER DRIVE WEST, SUITE 1050 LOS ANGELES, CA 90045			VENT, JAMIE J	
			ART UNIT	PAPER NUMBER
			2616	

DATE MAILED: 08/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/747,455

Applicant(s)

HARNOIS, STEPHANE

Examiner

Jamie Vent

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08).
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant's arguments filed May 26, 2005 have been fully considered but they are not persuasive.

On pages 9-10 applicant argues that Bopardikar et al fails to disclose, teach, or suggest the limitation of "processing means performs a first writing operation to write said video data to said storage array means in real-time without RAID calculations and without parity" as recited in Claim 1. It is described in Column 27 Lines 40+ the processing of performing a writing operation to write the video data to a storage away without RAID calculations. Furthermore it is noted that the processors within the system makes the RAID calculations not necessary and thereby meeting the limitation to generate the write information. Although all of applicants points are understood the examiner can not agree and therefore the rejection is maintained.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-20 are rejected under 35 U.S.C. 102(b) as being unpatentable by Bopardikar et al (US 6,826,778).

[claim 1]

Art Unit: 2616

In regard to Claim 1, Bopardikar et al discloses an image processing apparatus and method having a computer-readable medium with computer readable instructions configured to store image data with redundant protection comprising:

- input means configured to receive an input stream of real-time digital video data (Figure 16 shows the input stream of broadcast video data as further stated in Column 5 Lines 36-40);
- storage means for storing image data in an array of disks(Figure 14 shows the storage medium for storing the data); and
- processing means arranged to perform processing operations upon said image data (Figure 16 item 1614 shows the processing means which processes the operations), wherein
- said input means receives an input stream of real-time digital video data (Figure 16 line 1615 receives input streams of real-time digital video data as further described in Column 17 Lines 22-25);
- said processing means performs a first writing operation to write said video data to said storage array means in real-time without RAID calculations and without parity (Column 2 Lines 1-30 describes the processing of the various writing operations while Column 27 Lines 40+ describes the writing of video data without RAID calculation and parity and thereby meeting the limitation);
- said processing means performs a reading operation to read said data from said storage means, perform a data manipulation upon said video data and generate parity information to create protected video data (Column 13 Lines 52+ and Column 14 Lines 1-12 describe the processing which performs the reading operations and data manipulations); and

- said processing means performs a second writing operation to write said protected video data to said storage means (Column 13 Lines 21-42 describes the additional writing operation to write the protected video data to the storage means).

[claims 2 & 9]

In regard to Claims 2 and 9, Bopardikar et al discloses an image processing apparatus wherein said real-time digital data represents high definition images defined by luminance samples and color difference samples (Column 5 Lines 42+ describes the input of the real-time digital data that is representative of high definition data).

[claims 3 & 10]

In regard to Claims 3 and 10, Bopardikar et al discloses an image processing apparatus wherein said high definition digital video data is derived by scanning cinematographic film (Column 5 Lines 42+ describes the high definition data that is inputted into the system and furthermore it is inherent that the high definition digital video data that is inputted into the system is derived from a scanning cinematographic film).

[claims 4 & 11]

In regard to Claims 4 and 11, Bopardikar et al discloses an apparatus wherein said real-time digital video data represents standard broadcast television images defined by luminance and color difference signals (Column 5 Lines 35-64 describes the real-time digital video data that represents the television images which is defined by the luminance and color difference signals).

[claims 5 & 12]

In regard to Claims 5 and 12, Bopardikar et al discloses an apparatus wherein said luminance

Art Unit: 2616

samples and said color difference samples are converted to three color samples before performing said writing step (Column 15 Lines 64+ and Column 16 Lines 1-10 describe the conversion of the samples into the RGB color space).

[claims 6 & 13]

In regard to Claims 6 and 13, Bopardikar et al discloses an apparatus wherein said data manipulation step includes converting luminance plus color difference signals into three color samples (Column 16 Lines 23-35 describes the converting of the different signals into three color samples before manipulating the data).

[claims 7 & 14]

In regard to Claims 7 and 14, Bopardikar et al discloses an apparatus wherein said data manipulation step includes generating reduced bandwidth proxy images and writing said proxy images to storage (Column 13 Lines 28+ describes the data manipulation step which includes bandwidth proxy images and writing the images to storage).

[claims 8, 15, & 19]

In regard to Claims 8, 15, and 19, Bopardikar et al discloses an image processing apparatus and method, as previously discussed in Claim 1, with the additional limitation of calculating redundant parity data to generate protected image data (Column 22 Lines 15-52 describes the determination of redundancy to generate a protected image of the data).

[claim 16]

In regard to Claim 16, Bopardikar et al discloses an image process apparatus and method, as previously disclosed in Claim 2, with the additional limitation of the converting of samples representing luminance and color difference to three colors (RGB) samples before performing said first writing step (Column 15 Lines 64+ and Column 16 Lines 1-10 describe the conversion of the samples into the RGB color space which takes place before the converting of samples).

[claim 17]

In regard to Claim 17, Bopardikar et al discloses an image process apparatus and method, as previously disclosed in Claim 3, with the additional limitation of the converting luminance plus color difference to three colors (RGB) samples during said data manipulation step (Column 16 Lines 23-35 describes the converting of the different signals into three color samples before manipulating the data).

[claims 18 & 20]

In regard to Claims 18 and 20, Bopardikar et al discloses an image process apparatus and method, as previously disclosed in Claim 3, with the additional limitation of the generating reduced bandwidth proxy images and writing said proxy images to storage during said data manipulation step (Column 13 Lines 28+ describes the data manipulation step which includes bandwidth proxy images and writing the images to storage).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

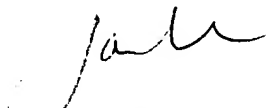
Contact Information

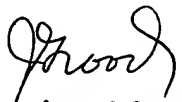
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamie Vent whose telephone number is 571-272-7384.

The examiner can normally be reached on 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Groody can be reached on 571-272-7950. Effective July 15, 2005, the Central Fax Number will change to 571-273-8300. Faxes sent to the old number (703-872-9306) will be routed to the new number until September 15, 2005.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Jamie Vent
07/27/2005


James J. Groody
Supervisory Patent Examiner
Art Unit 262 2616